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### DISCLAIMER

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. All COI Query Responses are compiled in line with the Common EU Guidelines (2008) and the EUAA Methodology (2023). This response is not and does not purport to be conclusive as to the merit of any particular claim to international protection. Please refer to all documents cited.

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### COI QUERY RESPONSE

#### ECUADOR – INFORMATION ON DISCRIMINATION AGAINST VENEZUELAN

The US Department of State Country Reports on Human Rights Practices in April 2024 reported that: “The law provided for protection and access to health care, education, and other services to all individuals irrespective of their migration status. Nonetheless, some Venezuelan migrant and refugee children remained out of the school system, according to official government statistics. According to NGOs, barriers to the enrollment and retention of refugee and migrant children in school included a lack of information regarding the right to access to education, hidden costs of schooling such as uniforms, lack of classroom space, and in some instances xenophobic attitudes towards Venezuelans, including discrimination and arbitrary documentation requirements for school enrollment.”<sup>1</sup>

The same document points out that: “The government accepted refugees for resettlement and offered naturalization to refugees but recognized very small numbers of Venezuelan refugees. Colombian nationals constituted 96 percent of all recognized refugees. Discrimination and limited access to formal employment and housing affected refugees' ability to integrate into the local community.”<sup>2</sup> The document also notes that: “According to media and labor associations, local organizations reported complaints of Venezuelans receiving below the minimum wage, particularly in the informal sector. Gig workers reported conditions that did not follow wage, hour, and safety laws.”<sup>3</sup>

A report issued by Freedom House in February 2024 states that “Ecuador is one of the largest recipients of refugees in Latin America. According to the Office of the UN High Commissioner for Refugees, Ecuador hosted 475,000 Venezuelans as of December 2023. Many Venezuelan immigrants have reported facing discrimination and xenophobia.”<sup>4</sup>

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<sup>1</sup> US Department of State (22 April 2024) 2023 Country Reports on Human Rights Practices: Ecuador

<sup>2</sup> *ibid*, p.10

<sup>3</sup> *ibid*, p.23

<sup>4</sup> Freedom House (29 February 2024) Freedom in the World 2024: Ecuador, p.9

The World Bank Blogs in February 2024 mentioned that: “Either as a cause or a consequence of the lack of social integration, some 26–40 percent of Venezuelans in Colombia, Chile, Ecuador, and Peru state that they have experienced discrimination .” [...] <sup>5</sup>

In December 2023 CE Noticias Financieras reported that: “Oxfam denounced this Monday that discrimination, xenophobia and hate speech against the Venezuelan migrant population persist, at the same time that migration from Venezuela soared in 2023 to 7.7 million people, an increase of 114.75%. Sixty percent of this total, 3.6 million, are in South America, in Colombia, Peru and Ecuador, where according to a report presented today by the NGO “discrimination, xenophobia and hate speech are the main triggers of the situation experienced by Venezuelan migrants”. <sup>6</sup>

The UN High Commissioner for Refugees (UNHCR) in November 2023 states that: “Most Venezuelans and Colombians seeking safety in Ecuador cross Imbabura along the Panamerican Highway. While Imbabura is transit hub, there is also a significant number of forcibly displaced people who have chosen to locally integrate in Imbabura due to the opportunities to work in agriculture, textiles, and tourism sectors. Despite the long history of hosting refugees, Imbabura faces high levels of xenophobia and discrimination in some communities. In recent years there has been forced evictions of Venezuelans, and public protests against Venezuelans and service providers in various cities in Imbabura.” <sup>7</sup>

The US Department of Labor in September 2023 notes that: “Reporting also indicates that as many as 65 percent of school-age Venezuelan refugee and migrant children are not enrolled in Ecuador’s educational system due to non-institutional barriers like a lack of resources and local discrimination.” <sup>8</sup>

CE Noticias Financieras in November 2022 points out that: “Ecuador joins countries such as Colombia and Peru in the lack of protection for Venezuelan women refugees who are survivors of gender-based violence, and this trend must be urgently reversed, said the humanitarian organization Amnesty International. Erika Guevara Rosas, director of AI for the hemisphere, said from the regional headquarters in this capital that “it is worrying to note that Ecuador, as a State, accompanies Colombia and Peru in their unacceptable treatment of Venezuelan women survivors of gender-based violence”. <sup>9</sup>

The document further mentioned that: “The organization considers that Venezuelans who fled their country due to massive human rights violations have international protection needs and should be recognized as refugees. AI’s research collected a series of testimonies of Venezuelan women affected by situations of lack of protection, discrimination, gender-based violence and at risk of labor and sexual exploitation and human trafficking in several Ecuadorian cities. For example, in the city of Huaquillas, a young woman reported that “when I lived in Quito, I could not even go to the supermarket in peace. There was always an Ecuadorian man coming up to me at the door to make me have sex with him.” “He always made me feel humiliated when he told me that all Venezuelan women are like that. When I said no, he insulted me even more. I had to go with my older brothers and without my baby so he would leave me alone,” she added. In Machala, capital of the province of El Oro where Huaquillas is also located, another migrant told that “I started to work in the street, with my body.

<sup>5</sup> World Bank Blogs (21 February 2024) Venezuelans in Chile, Colombia, Ecuador, and Peru can contribute to development

<sup>6</sup> CE Noticias Financieras (4 December 2023) Xenophobia and discrimination increase as Venezuelan migration rises 114%

<sup>7</sup> UN High Commissioner for Refugees (UNHCR) (1 November 2023) UNHCR Ecuador; Ibarra; October 2023

<sup>8</sup> US Department of State (26 September 2023) 2022 Findings on the Worst Forms of Child Labor: Ecuador, p.3

<sup>9</sup> CE Noticias Financieras (18 November 2022) Ecuador discriminates against and fails to protect Venezuelan women, denounces AI

Tears would come out of my eyes because you did something you didn't want to do for a few cents, so you wouldn't spend the night without eating". "I wanted to get one of those jobs that you can do in a store, but the discrimination is strong," added the witness."<sup>10</sup>

In November 2022 Amnesty International notes that: "The research confirmed that the Ecuadorian state is not guaranteeing the rights of Venezuelan women to seek protection as refugees and to a life free from violence. With regard to protection as refugees, the Ecuadorian authorities are not guaranteeing the right of Venezuelan women to apply for refugee status. Despite meeting the conditions of the 1984 Cartagena Declaration's definition of a refugee in Article 98 of its Organic Law on Human Mobility, the Ecuadorian authorities rarely apply this definition. Between 2018 and 2022, only 555 women were formally recognized as refugees and some women reported that the authorities discouraged them from seeking international protection. With serious obstacles to accessing existing alternative migration regularization mechanisms, Venezuelan women are left in situations where they are at greater risk of violence and discrimination because of their irregular migration status."<sup>11</sup>

The report further states that: "Amnesty International identified structural problems in the front-line institutions that identify and respond to cases of gender-based violence, as well as the system of administration of justice in Ecuador. Stereotypes and discrimination based on gender and xenophobia against Venezuelan women, the lack of resources and the lack of institutionalization of good practices contribute to the lack of access to protection mechanisms and the justice system. All of these factors mean that access to justice and reparation for Venezuelan women is a fantasy in practice, violating their right to a life free of violence."<sup>12</sup>

In February 2022 Bertelsmann Stiftung (Germany) points out that: "A concerning issue is the number of Venezuelan immigrants in Ecuador. They have no access to state protections and are largely supported through civil society, church and local government charity."<sup>13</sup>

Care International in February 2022 reported that: "Fleeing rampant crime and political violence, a collapsing economy, and severe shortages of food and medicines, some 1.5 million Venezuelans have arrived in Ecuador since 2016. Among them are LGBTQIA+ individuals, who face many risks, including intimate partner violence (IPV). An analysis carried out by CARE with 782 migrants and refugees in Ecuador in 2019 found that 50 percent of those who experienced discrimination and xenophobia, which is associated with increased exposure to gender-based violence (GBV), were LGBTQIA+ individuals."<sup>14</sup>

CE Noticias Financieras in February 2021 mentioned that: "Venezuelan migrants and refugees are highly exposed to situations of exclusion and discrimination in Peru and Ecuador due to living conditions with limited economic resources and shared housing, according to a report by the NGO Plan International published on Thursday, February 25. In particular, it is minors and refugee or migrant women who are most at risk and vulnerable, as employment is scarce, suffer gender-based violence and discrimination, face limitations in access to services and in the process of achieving regular status in the country, among others. "These figures show one of the many facets of gender discrimination faced by Venezuelan women and the multiple negative effects on their children and

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<sup>10</sup> ibid

<sup>11</sup> Amnesty International (17 November 2022) Ecuador: Another state following the regional trend of discrimination and lack of protection for Venezuelan survivors of gender-based violence

<sup>12</sup> ibid

<sup>13</sup> Bertelsmann Stiftung (Germany) (23 February 2022) Bertelsmann Stiftung's Transformation Index (BTI) 2022 Country Report – Ecuador, p.19

<sup>14</sup> Care International (16 February 2022) Cash Assistance Helps LGBTQIA+ Survivors of Intimate Partner Violence

children in charge, given that a large percentage of families are single-parent and female-headed," said the NGO's Regional Venezuelan Crisis Response Program coordinator , Anyi Morales. Data from the study, prepared by Plan International together with its partners Copeme and Terranueva, show that, in Ecuador, 77% of Venezuelan households live in overcrowded and 50% of families in Peru."<sup>15</sup>

The document also states that: "In terms of education, in Ecuador only 52.5% of children are enrolled, while Peru's rate stands at 69.1%. In both countries, refugees and migrants mostly do not have any health insurance. The study also shows gender discrimination: 58.4% of refugee and migrant women in Peru and Ecuador report higher marginality figures compared to Venezuelan men. This is also reflected in the workplace, with 65.5% of women working against 98% of men in Peru and 20.6% of women in Ecuador compared to 42.5% of men."<sup>16</sup>

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